

PLAN AND ZONING COMMISSION MEETING

May 11, 2015

Direction: CITY1335.DSS

Acting Chair Costa called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, May 11, 2015, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Andersen, Costa, Hatfield, Southworth.....Present
Brown, Crowley, Erickson.....Absent

Item 1 - Consent Agenda

Item 1a - Minutes of the meeting of April 27, 2015

Acting Chair Costa asked for any comments or modifications to the April 27, 2015 minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approve the minutes of the April 27, 2015 meeting.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
Brown, Crowley, Erickson.....Absent
Motion carried.

Item 2 – Public Hearings

Item 2a – Jordan West, Southwest corner of EP True Parkway and Jordan Creek Parkway – Amend the Comprehensive Plan Land Use from Office (OF) to Support Commercial (SC) and Medium Density Residential (MD) and amend the Area Development Plan for the site – Ryan Companies US, Inc. & Bridgewood Commercial I, LLC – CPA-002561-2014 & ADP-002562-2014

Acting Chair Costa opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on May 1, 2015.

Acting Chair Costa asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Andersen, seconded by Commissioner Hatfield, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
Brown, Crowley, Erickson.....Absent
Motion carried.

Ed Arp, Civil Design Advantage, 2400 86th Street, Des Moines, representing the applicant, requested approval of amendments to both the Comprehensive Plan Land Use and Area Development Plan. The subject property was displayed showing the previous land use plan which consisted mostly of an office use. The land use designations will now be a combination of Support Commercial and Medium Density Residential to allow for various development options. The current proposal was presented noting that it showed a rearrangement of the street system with new connections.

Commissioner Hatfield asked the width of the separation buffer between the single family and the two proposed zonings. Mr. Arp responded that there was a 50 ft. wide buffer which is wider than the typical 30 ft. buffer. Due to a huge berm to the north and west, the 50 ft. buffer was chosen to tie into the berm and fit into the area.

Mr. Arp expressed agreement with Staff recommendations of approval.

Chairperson Costa asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Comprehensive Plan

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approve a resolution recommending City Council approval of the Comprehensive Plan Land Use Map amendment for approximately 45.2 acres from Office (OF) to Support Commercial (SC) (areas A and C on Attachment F) and Medium Density Residential (MD) (area B on Attachment F), subject to the applicant meeting all City Code requirements.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
Brown, Crowley, Erickson.....Absent
Motion carried.

Area Development Plan

Moved by Commissioner Andersen, seconded by Commissioner Southworth, the Plan and Zoning Commission approve a resolution recommending City Council approval of an amendment to the associated Area Development Plan to adopt that indicated in Attachment F, subject to the applicant meeting all City Code requirements and the following:

1. The applicant, Ryan Companies US, Inc., receiving City Council approval of an amended Jordan West Specific Plan detailing specific development regulations, allowances, and limitations prior to development of any portion of the Jordan West property; and
2. The applicant of Lot 33, Bridgewood Plat 1, Bridgewood Commercial 1, LLC., receiving City Council approval of an amendment to the Bridgewood PUD to remove the property from the PUD, and City Council approval of a Rezoning Request to establish a Specific Plan Ordinance over the property detailing specific development regulations, allowances, and limitations prior to development of any portion of the subject property.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
Brown, Crowley, Erickson.....Absent
Motion carried.

Item 2b – Village of Ponderosa, Generally undeveloped parcels within the Village of Ponderosa – Amend the Comprehensive Plan Land Use Map, Area Development Plan, and Village of Ponderosa Specific Plan to align with new development concept – LENL, LLC and LEWF, LLC – CPA-002693-2015/ADP-002694-2015/ZCSP-002695-2015

A memo was given to the Commissioners at the dais from staff regarding comments from two residents in the area on the proposed Village of Ponderosa changes to the Comprehensive Plan, Area Development Plan, and Specific Plan.

Acting Chair Costa opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on May 1, 2015.

Acting Chair Costa asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Andersen, seconded by Commissioner Hatfield, the Plan and Zoning Commission

accept and make a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
 Brown, Crowley, Erickson.....Absent
 Motion carried.

Dennis Reynolds, Reynolds Urban Design, 220 51st Street, Des Moines, representing the applicant, requested approval of three amendments (*Comprehensive Plan Land Use, Area Development Plan, and Specific Plan*) for the undeveloped parcels within the development. Mr. Reynolds gave an overview of the proposed project noting that he and the applicant had worked with the existing residents and commercial business owners to bring to completion the Village of Ponderosa Master Plan. Mr. Reynolds pointed out on a location map the commercial and multi-family areas, as well as the remaining properties to develop. There will be an active adult residential product, 43 single family lots adjacent to the existing single family neighborhood, a dog park amenity, three four-story apartment buildings along Market Street, additional residential apartments with underground parking south of Market, and a 4-star hotel product. Mr. Reynolds stated that he continues to work with staff to update the specific plan and how land uses are allocated. He noted that the infrastructure is in place, the traffic count is beneath the cap, parking will be largely underground, and the amount of open space has increased with this project.

Acting Chair Costa asked if there was an anticipated schedule for this project.

Amit Goel, LENL and LEWF, LLC, 2001 Kirby Drive, Suite 900, Houston, Texas, provided that it is anticipated to start the single family portion of the project in July of this year with work beginning on the hotel as early as August or September of this year. Based on demand, construction would begin on the multi-family units in March or April, 2016.

Chair Costa asked if anyone from the audience would like to speak to this item.

Frank Harty, 5634 Ponderosa Drive, West Des Moines, submitted the three paragraph comments with a Storm Water Management Plan for Lots 106 and 107 of Ponderosa Valley Plat 2 that had been provided at the dais to the Commissioners. He asked that the City consider requiring as a condition of approval for this development: (1) restore the overland flowage easement consistent with the Bishop Engineering stormwater management plan, (2) maintain the existing open spaces consistent with acceptable minimum standards, and (3) replace dead trees and shrubs in addition with the new plantings.

Commissioner Costa noted Mr. Harty's concern with drainage and asked if he had conversations with City staff. Mr. Harty stated that City staff has been very helpful and that staff understood the issues.

Chair Costa asked if Mr. Harty has had an opportunity to talk to the developer. Mr. Harty responded that he had not spoken with the developer, but that it would not be complicated to fix the drainage issue.

In response to this issue, Chair Costa encouraged Mr. Harty to talk with the developer. The developer, Mr. Amit Goel responded that, as it was described to him by a civil engineer, two trees needed to be removed, some minor grading initiated, and approximately a 1,000 ft. of sod be installed to correct the drainage situation, which he would be willing to undertake.

Nick Kenyon, 4021 Ingersoll Avenue, speaking for his sister who lives at 5487 Flagstone Way, stated that this development began mainly as a single family residential neighborhood to the north with commercial to the south. With the installation of apartments (480 apts.) and the senior development (500 units), he would like to see another approach by keeping more of the original plan for single family residential to the north and the high density residential to the south as far as possible. Mr. Kenyon stated that his sister had purchased her place four months ago with the understanding that this was a quiet neighborhood.

Commissioner Andersen stated that she was interested in seeing the original land use plan that would

illustrate how much high and medium density was planned for the area. Planner Schemmel reviewed the original plan with the Commission. She commented that the plan distributes the two high density residential areas on different corridors within the development.

Mr. Reynolds provided that the original plan had significantly more office and retail, but with the change in the market and with other retail occurring along Mills Civic Parkway, there was a shift to multi-family.

Chair Costa inquired if there was an issue with streets in this development. Planner Schemmel responded that the private streets still need another layer of asphalt, and this is a condition of approval to complete the private streets as development progresses. Director Twedt commented that if emergency services are unable to navigate the streets this issue would have to be addressed immediately.

Commissioner Hatfield stated that he felt this proposed plan was an improvement over the previous one, especially with having the senior housing as it generates less traffic and having high density located to the south away from single family.

Comprehensive Plan

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approve a resolution recommending City Council approval of the Comprehensive Plan Land Use map amendment to change the land use designation from Medium Density Residential (MD) to High Density Residential (HD), Single Family Residential (SF), and Support Commercial; from Office (OF) to Support Commercial (SC); and from Support Commercial (SC) to High Density Residential (HD), subject to the applicant meeting all City Code requirements.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
Brown, Crowley, Erickson.....Absent
Motion carried.

Area Development Plan

Moved by Commissioner Hatfield, seconded by Commissioner Andersen, the Plan and Zoning Commission approve a resolution recommending City Council approval of an amendment to the Area Development Plan for this property, subject to the applicant meeting all City Code requirements.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
Brown, Crowley, Erickson.....Absent
Motion carried.

Comprehensive Plan

Commissioner Costa expressed that he would encourage Staff to obtain assurances from the developer that the streets would be completed in a timely manner.

As part of the motion, Commissioner Hatfield requested that restoring the overland flowage easement, maintaining the existing open spaces, and the replacement of dead plantings be included in the conditions of approval.

Moved by Commissioner Hatfield, seconded by Commissioner Andersen, the Plan and Zoning Commission approve a resolution recommending City Council approval of an amendment to the existing Village of Ponderosa Specific Plan Ordinance, Map and Exhibits to redefine and detail the regulations, allowances, and limitations of the proposed development to include multi-story market-rate and active senior apartments, additional single-family detached residential lots, a clubhouse, and a 4-story hotel within the development, subject to the applicant meeting all City Code requirements and the following, including those suggested in Mr. Harty's memo:

1. A revised Parkland Dedication Agreement acceptable to the City of West Des Moines, tailored to the 2015 Specific Plan update detailing the specifics relating to all parkland dedication requirements and/or recreation based improvements that are required of the developer(s) as a result of the original and amended proposed development shall be executed prior to issuance of the first building permit, including any footing and foundation permits associated with a residential dwelling structure.
2. Applicant will need to provide the recently completed sanitary sewer capacity analysis for the Village of Ponderosa including the proposed changes to the adjacent West Glen development. The Applicant is responsible for coordinating with West Glen on their proposed changes and cost obligations for the identified improvements to the sewer system to resolve capacity issues due to increase in sewer use.
3. The Applicant, as well as the Village of Ponderosa Master Association are responsible for correcting the following deficiencies and will need to provide a timeline on the following:
 - a. Correction of the signage and pavement marking deficiencies identified in the recently completed traffic study.
 - b. Correction of all storm water deficiencies noted in the storm water as-builts.
4. As part of the development process, the respective property owner(s) or developer(s) will be responsible for:
 - a. The installation of sidewalks adjacent to all public streets bordering the property that conform with the requirements of the Public ROW Accessibility Guidelines (PROWAG).
 - b. Completing necessary repairs or paving of all existing private roadways.
 - c. Completing the portion of unfinished trail along S. Granite Way that was part of the parkland dedication requirements for the original Village of Ponderosa project.
 - d. Providing suitable connections from the internal trail network to the West Des Moines trail network.
5. The Applicant, as well as the Village of Ponderosa Master Association, shall work with the property owners north of Area 5A to correcting the following deficiencies:
 - a. Restore the overland flowage easement consistent with the Bishop Engineering Stormwater management plat dated July 9, 2013.
 - b. Maintain Area 5A consistent with the City's property maintenance code and the approved Storm Water Management Plan.
 - c. Replace dead or missing open-space landscaping plantings required as part of the Specific Plan within Area 5A.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
 Brown, Crowley, Erickson.....Absent
 Motion carried.

Item 3 – Old Business

There were no Old Business items on the agenda.

Item 4 – New Business

Item 4a –Mills Crossing Plat 1, 5901 Mills Civic Parkway – Preliminary Plat to subdivide the property into seven (7) lots for commercial development – Hurd Mills LLC – PP002644-2015

Ed Arp, Civic Engineering Consultants, 2400 86th Street, Des Moines, representing the applicant, requested Preliminary Plat approval to subdivide the property located at the northeast corner of S. 60th Street and Mills Civic Parkway into seven (7) lots for commercial development in the Mills Crossing development.

Chairperson Costa asked if anyone from the audience would like to speak to this item; seeing none, asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Preliminary Plat to create seven (7) lots for commercial development, subject to the applicant meeting all City Code requirements and the following:

1. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
Brown, Crowley, Erickson.....Absent
Motion carried.

Item 5 – Staff Reports

Item 6 - Adjournment

Acting Chair Costa asked for a motion to adjourn the meeting.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth to adjourn the meeting.

Vote: Andersen, Costa, Hatfield, Southworth.....Yes
Brown, Crowley, Erickson.....Absent
Motion carried.

The meeting adjourned at 6:17 p.m.

Chris Costa, Acting Chairperson
Plan & Zoning Commission

Kimberly Taylor, Recording Secretary